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<b>Application Number</b> 	<b>Application/Control No.</b> 10/772,767	<b>Applicant(s)/Patent under Reexamination</b> DELUCA ET AL.	

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Date Filed : December 10, 2007	<b>This patent is subject          to a Terminal          Disclaimer</b>	

<b>Approved/Disapproved by:</b>
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**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING  
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Docket Number (Optional)  
FN-101-CIP2-US

In re Application of: Michael J. DeLuca, et al.

Application No.: 10/772,767

Filed: February 4, 2004

For: OPTIMIZED PERFORMANCE AND PERFORMANCE FOR RED-EYE FILTER METHOD AND APPARATUS

The owner\*, FOTONATION VISION LIMITED, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term **prior patent** No. 6,407,777 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said **prior patent** is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the **prior patent** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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2. ☒ The undersigned is an attorney or agent of record. Reg. No. 43219

/Thomas Van Zandt/  
Signature

December 10, 2007  
Date

Thomas Van Zandt  
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650-558-8814  
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